

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part IV. Crimes Against Public Decency and Morality

Chapter 39: Cherokee Nation Obscenity and Child Pornography Act

§ 1031. Punishment for violations—Fines—Knowingly engaging in prostitution while infected with HIV—Violations within certain distance from school or church

Cite as: 21 CNCA § 1031

A. Except as provided in subsection B or C of this section, any person violating any of the provisions of Section 1028, 1029 or 1030 of this title shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for a term not to exceed one (1) year or by a fine in an amount not to exceed Five Thousand Dollars (\$5,000), or by both such imprisonment and fine. In addition, the court may require a term of community service of not less than forty (40) nor more than eighty (80) hours.

B. Any person who engages in an act of prostitution with knowledge that they are infected with the human immunodeficiency virus shall be guilty of a felony punishable by imprisonment for a term not to exceed three (3) years.

C. Any person who engages in an act of child prostitution, as defined in Section 1030 of this title, shall, upon conviction, be guilty of a felony punishable by imprisonment for a term not to exceed three (3) years and by a fine in an amount not to exceed Three Thousand Dollars (\$3,000.00).

D. Any person violating any of the provisions of Section 1028, 1029 or 1030 of this title within one thousand (1,000) feet of a school or church shall be guilty of a felony punishable by imprisonment for a term not to exceed three (3) years or by a fine in an amount not to exceed Five Thousand Dollars (\$5,000), or by both such imprisonment and fine. In addition, the court may require a term of community service of not less than forty (40) nor more than eighty (80) hours.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 10–13, eff. April 13, 2013. Amended LA 07–21, eff. February 22, 2021.